

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: October 12, 2005]²

Bill No. and sponsor: H.R. 2022 (Mrs. Ellen O. Tauscher of California).

Proponent name, location: Valent U.S.A. Corp., Walnut Creek, CA

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Sodium 2,6-bis[(4,6-dimethoxypyrimidin-2-yl)oxy]benzoate (Bispyribac-sodium) (CAS No. 125401-92-5) (provided for in subheading 2933.59.10)

Check one: ☒ Same as that in bill as introduced.
 ☐ Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The product, commonly known as Bispyribac-sodium, is a member of the pyrimidinyloxybenzoic class of herbicides. It is a post-emergence herbicide that is targeted at annual and perennial grasses, sedges, and broadleaf weeds that affect rice fields. Bispyribac-sodium is imported from Japan. There are no other known importers.

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm

Estimated effect on customs revenue:

HTS subheading: 2933.59.10					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
Customs revenue loss 1/	\$97,500	\$97,500	\$97,500	\$97,500	\$97,500

1/ Revenue loss for 2005 and 2006 results from a current suspension of duty per heading 9902.05.20.
Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
Valent U.S.A. Corp. (Proponent) Robin Demouth, 925-256-2758 Jed D'Ercole, 202-835-0740	8/11/2005 8/12/2005 8/15/2005	No	No	No
BASF Corp. Tom Coleman, 202-289-3900	8/12/2005	No	No	No
Bayer Corp. Karen Niedermeyer, 412-777-2058	8/12/2005	No	No	No
E. I. du Pont de Nemours and Company Elaine Olsen, 302-992-2263	8/12/2005	No	No	No
Monsanto Corp. Linda Strachan, 202-383-2849	8/12/2005	No	No	No
Syngenta Crop Protection Mike Blythe, 336-632-6000	8/12/2005	No	No	No

Technical comments:³

The Commission notes that HTS heading 9902.05.20 provides a current duty suspension for the subject chemical until December 31, 2006. The Commission suggests that the date in the effective period column of heading 9902.05.20 be amended to extend the existing duty suspension, making the insertion of a new heading as in the bill unnecessary.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 2022

To suspend temporarily the duty on Bispyribac-sodium.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

Mrs. TAUSCHER introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on Bispyribac-sodium.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. BISPYRIBAC-SODIUM.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“	9902.06.21	Sodium 2,6-bis[(4,6-dimethoxypyrimidin-2-yl)oxy]benzoate (Bispyribac-sodium) (CAS No. 125401–92–5) (provided for in sub-heading 2933.59.10)	Free	No change	No change	On or before 12/31/2008	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

